

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TANYA SPURBECK,

Plaintiff(s),

V.

Case No. 2:20-cv-00346-RFB-NJK

Order

[Docket No. 108-1]

WYNDHAM DESTINATIONS, INC., et al.,
Defendant(s).

Plaintiff marked a document she filed with the Court as “confidential,” prompting that

document to be filed under seal. Docket No. 108-1.

There is a strong presumption in favor of the public's access to judicial filings. *See, e.g.*,

Kamakana v. City & Cnty. of Honolulu, 447 F.3d 1172, 1179 (9th Cir. 2006). Documents filed in relation to a non-dispositive matter may not be sealed absent a particularized showing of good cause. *Id.* at 1180.

The exhibit at issue here is a copy of a published research paper that is on its face publicly available. Docket No. 108-1 at 2 (“The current issue and full text archive of this journal is available on Emerald Insight at: www.emeraldinsight.com/2040-7149.htm”).¹ As such, there appears to be no basis for that document to remain sealed. *Cf. Protectmarriage.com-Yes on 8 v. Bowen*, 752 F.3d 827, 834 (9th Cir. 2014) (“once a fact is widely available to the public, a court cannot grant ‘effective relief’ to a person seeking to keep that fact a secret”).

¹ A simple web search also appears to provide the exact same document in publicly-available form. See <https://dynamic.uoregon.edu/jjf/articles/acrfonline.pdf>.

1 No later than June 2, 2021, Plaintiff must explain in writing why this exhibit should remain
2 sealed. Failure to do so will result in the exhibit being unsealed.

3 **IT IS SO ORDERED.**

4 Dated: May 26, 2021

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6 Nancy J. Koppe
7 United States Magistrate Judge

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